

SCHEDULES

SCHEDULE 19

FAMILY HOMES AND DOMESTIC VIOLENCE: NORTHERN IRELAND

PART 1

AMENDMENTS OF THE FAMILY HOMES AND DOMESTIC VIOLENCE (NORTHERN IRELAND) ORDER (SI 1998/1071 (NI 6))

- 3 (1) Amend Article 4 (rights concerning matrimonial home where one spouse has no estate, etc.) as follows.
- (2) In paragraph (1)—
- (a) in sub-paragraph (a)—
 - (i) after “one spouse” insert “or civil partner (“A”)", and
 - (ii) for “that spouse” substitute “A”,
 - (b) in sub-paragraph (b), after “other spouse” insert “or civil partner (“B”)"
- (3) In paragraph (2)—
- (a) for “the spouse not so entitled” substitute “B”,
 - (b) for “(“matrimonial home rights”)" substitute “(“home rights”)", and
 - (c) in sub-paragraph (a), for “the other spouse” substitute “A”.
- (4) In paragraph (3)—
- (a) for “a spouse” and for “that spouse” substitute “B”, and
 - (b) for “the other spouse” (in both places) substitute “A”.
- (5) In paragraph (4)—
- (a) for “A spouse's” substitute “B's”,
 - (b) in sub-paragraph (a), for “by the other spouse as the other spouse's” substitute “by A as A's”, and
 - (c) in sub-paragraph (b)—
 - (i) for “the spouse occupies the dwelling-house as that spouse's” substitute “B occupies the dwelling-house as B's”, and
 - (ii) for “by the other spouse as the other spouse's” substitute “by A as A's”.
- (6) In paragraph (5)—
- (a) for “a spouse (“the first spouse”)" substitute “B”, and
 - (b) in sub-paragraph (b), for “the other spouse (“the second spouse”)" substitute “A”,
 - (c) for “the second spouse” (in both places) substitute “A”, and
 - (d) for “the first spouse” substitute “B”.

Status: This is the original version (as it was originally enacted).

- (7) In paragraph (6)—
- (a) for “a spouse” substitute “B”, and
 - (b) for “the other spouse” (in both places) substitute “A”.
- (8) In paragraph (7), for the words from first “which” to the end substitute “which—
- (a) in the case of spouses, has at no time been, and was at no time intended by them to be, a matrimonial home of theirs; and
 - (b) in the case of civil partners, has at no time been, and was at no time intended by them to be, a civil partnership home of theirs.”
- (9) In paragraph (8)—
- (a) for “A spouse’s matrimonial home rights” substitute “B’s home rights”,
 - (b) in sub-paragraph (a), after “marriage” insert “or civil partnership”, and
 - (c) in sub-paragraph (b), for “the other spouse” substitute “A”.
- (10) In paragraph (9)—
- (a) for “a spouse” substitute “a person”,
 - (b) for “matrimonial home rights” substitute “home rights”, and
 - (c) after “spouses” insert “or civil partners”.
- (11) In the heading to Article 4, for “matrimonial home where one spouse” substitute “home where one spouse or civil partner” and, in the preceding cross-heading, after “matrimonial” insert “or civil partnership”.